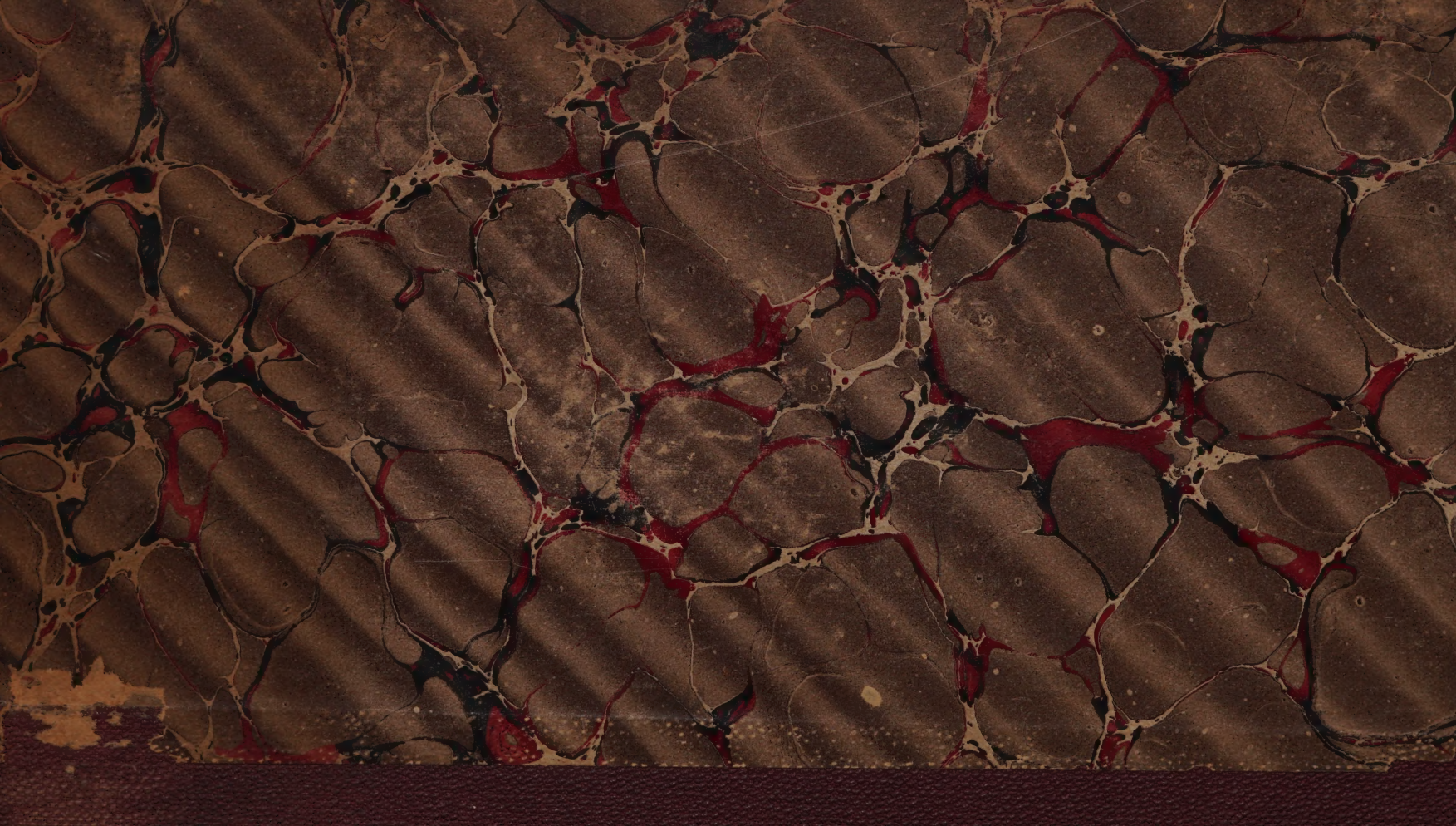

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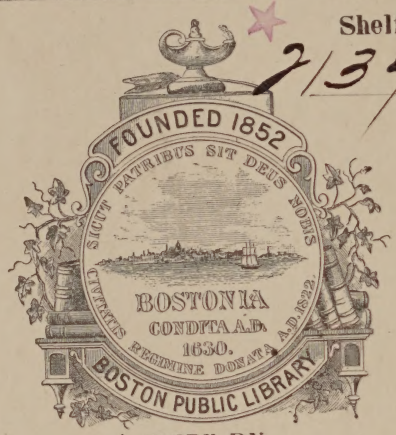

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REMARKS

ON

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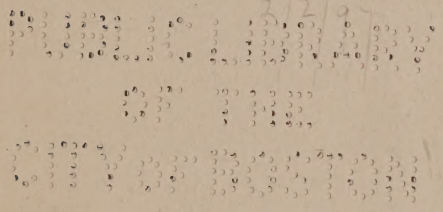
THE OTIS PAPERS IN THE LIBRARY OF THE MASSACHUSETTS HISTORICAL SOCIETY.

By SAMUEL A. GREEN.



Dr. Samuel A. Green,

Feb. 2, 1897.

REMARKS

ON THE OTIS PAPERS IN THE LIBRARY OF THE MASSACHUSETTS HISTORICAL SOCIETY.

At a meeting of the Massachusetts Historical Society, held in Boston, on Thursday, January 14, 1897, Dr. Samuel A. Green made the following remarks: —

Many years ago there came into the possession of the Historical Society a large mass of miscellaneous papers, which were never arranged or catalogued, as they were not considered worth the trouble. At one time evidently they had belonged to the Suffolk Court files, where they were the counterpart of similar papers now in the keeping of the county. They consisted largely of law blanks which had been filled in by a court officer, or were connected otherwise with the administration of law; and without exception they related to matters before the beginning of the present century. There is no record to show exactly when these papers came into the possession of the Society, but a probable date is learned indirectly from other papers.

Among the gifts to this Library, as acknowledged in the Collections (third series, I. 297), published in 1825, were certain "MSS. of James Otis, Esq.," from William Tudor, a member of this Society. It will be recalled that Mr. Tudor wrote a Life of the Revolutionary patriot; and presumably these papers were placed in his hands with reference to the

preparation of that work. Furthermore his father, William Tudor, was Clerk of the Supreme Court of the Commonwealth from the year 1810 until his death, which took place on July 8, 1819. As a clew to the source whence this mass of miscellaneous papers was received, I mention these two facts, as possibly, if not probably, the collection was included in the aforesaid gift. Among the manuscripts of the Library are three volumes marked on the back "Otis Papers," with the dates "1701–1757," "1758–1769," and "1770–1800," respectively, which were bound in 1856. These Papers include many personal letters to members of the family, and evidently were culled out as the choicest of the mass.

There are also in the Library seven volumes of manuscripts marked on the back "Letters and Papers," extending over the years 1632–1824, which were bound in 1838; and six other volumes lettered on the back "Miscellaneous Papers," extending over the years 1628–185 , which were bound in 1856. These thirteen volumes all contain very many papers of a similar character as the miscellaneous collection previously referred to, and without doubt came for the most part from the same source. The papers in the first series of these volumes were arranged in files probably by Dr. Joseph B. Felt, but the final selection was made by Dr. Thaddeus M. Harris; and the papers in the second series were selected and arranged by Dr. John Appleton. (See Proceedings, II. 121; III. 86, 159, for allusions to these several volumes.)

Among the files of the Society's official correspondence is the rough draft of a letter, dated May 22, 1838, from Dr. Thaddeus M. Harris, at that time Librarian, and Corresponding Secretary *pro tempore*, to Dr. Martin Gay, which seems to throw additional light on the matter. Dr. Harris writes: —

> The Box of papers of the Otis family was deposited in the Massachusetts Historical Library, with the permission of making such selections from them as would subserve the interests of the Institution. That selection was made, before I was appointed Librarian; and I am informed that it comprised only a very few. The great mass consisted, principally, of the common files of a Lawyer's office, such as Writs, Executions, depositions, letters from Clients, litigations w^th^ the Indians; shippg papers on the fisheries & whaling voyages &c &c. together w^th^ letters of a merely personal concern. I have not, indeed, examined them; but learn that as this was the case, the descendants of the

former possessors had better resume them. I was, therefore, glad when a request was made me to deliver them to the order of your Mother [a daughter of Joseph Otis, of West Barnstable]. They are now returned: but in doing it, I feel in duty bound to render thanks for the confidence placed in us, & the favour shewn us by the liberty of selection, and to assure you that it was restricted solely to such papers as related to facts or events of a general & public nature, which might prove useful as documents, & these have been bound up with others of a similar character, to be preserved among historical Memoirs.

This extract from Dr. Harris's letter describes the mass of these papers so closely that it leaves but little doubt as to the source of the gift; and it would seem that, if returned at that time to Mr. Otis's family, they afterward came back again to the Society. According to a statement in the Proceedings (II. 45 *note*), only those papers "of a more private nature" were returned, which was probably the fact.

During the Society's occupation of the former building on this site these papers were kept in a chest or box, and I remember on one occasion when the roof began to leak from the accumulation of snow that they were badly damaged; and traces of the mishap remain to this day. In the present building they were stored in the cellar until the year 1882, when they were taken from the chest, and each paper brushed and straightened out. They were then tied up in twenty large bundles, each one containing perhaps a thousand pieces.

From notes made by Dr. Felt on various papers in this miscellaneous mass as well as in the bound volumes, it is clear that many of them, and presumably all, passed through his hands and were examined by him. He was Librarian from December 29, 1836, to October 26, 1837, as well as at a later period; and the examination was made by him probably in the year 1837. A note at the bottom of the page in the Proceedings (II. 121) confirms this theory.

I state these facts in some detail partly to show the way in which the Library came into the possession of the three volumes of "Otis Papers," the seven volumes of "Letters and Papers," and the six volumes of "Miscellaneous Papers," as mentioned above, and to put them on record, but more particularly to explain the following vote of the Council passed on April 9 last: —

It was voted that certain Court files of the last century, which originally were in Mr. Tudor's possession, be transmitted to the Suffolk Court House, and the Librarian and Mr. Upham were appointed a committee to transfer them, with the proviso that, if any duplicate is among them, it be retained here.

In accordance with this vote Mr. Upham and myself have made another sifting of these papers, and have selected 382 pieces, — none of them duplicates, however, — enough to fill two additional volumes to the series of "Otis Papers." While threshing out the old straw, a few grains of wheat have been found, which may be mentioned under the following heads: —

Ten papers (1691–1722) in the handwriting of Chief Justice Samuel Sewall, including three with his signature only.

Ninety-eight (1659–1771) on account of the handwriting or signatures of persons connected more or less with early New England history.

Forty-three (1656–1779) kept for their connection with historical subjects in general.

Ten (1746–1759) relating to the French and Indian War, and seven concerning the Indians.

Seventeen (1774–1780) relating to the Revolutionary War.

Fourteen (1726–1771) selected for the seals and embossed stamps.

One hundred and ten (1725–1795) relating indirectly to members of the Otis family.

Sixty-eight (1661–1774) miscellaneous papers, besides five carefully repaired by Mr. Upham, and noted by him in his remarks before the Society at the last November meeting. (See pages 182–184.)

It is not easy now to explain the drift of many of these papers into this mixed mass, but it is evident that they came from sources other than the Court records. I am inclined to accept Mr. Upham's view that the tradition in regard to the storage of the collection as a whole in the Old South Meeting-house during the siege of Boston, is confirmed by the appearance of many single papers.

Among the ninety-eight papers, mentioned under the second heading, are two which are worth printing.

The first one of these, the date of which is gone, relates to a petition of Samuel Whiting, the minister of Lynn and an Overseer of Harvard College, presented to the Colonial authorities. The time, however, is learned from the printed

"Records of the Governor and Company of the Massachusetts Bay" (IV. Part I. 406), — edited by our late associate Dr. Nathaniel B. Shurtleff, — where the petition is mentioned in the proceedings of the General Court under date of November 12, 1659. The action of the Magistrates and Deputies is given in the margin of the paper, though a portion of this record is gone; but it may be filled out in part from the printed entry. The following is a copy of the paper, as well as of the writing in the margin: —

To ye Honoured Govr. Deputie Govr. with the rest of ye Magistrates & Deputies of this Honoured General Court now assembled in Boston.

The humble Petition of Samuel Whiting sheweth, yt in ye beginning of this plantation my Brother mr John Whiting Alderman in Boston in ye county of Lincolne did disburse fifty pounds for this countrey, & he was promised to haue fiue hundred acres of land here. & about ye time yt I came ouer hither, he spake to me of it as yt wh he expected to be made good according to ye engagement made to him by those yt had to doe in ye transactions of ye countrey, & did receiue ye monny. But vntil this time I haue made no motion about it but haue let ye businesse rest till now. Also yt my Brother Mr Richard Westland Alderman in ye same Towne who married my wiues Sister did lay out ye same sume of monny for ye countrey, to whome ye same promise was made. Now your humble Petitioner hearing of ye ffauour of this Honoured Court towards many others yt haue sollicited & sued for things of ye like nature, in granting their requests, is bold to make sute to this Honoured Court yt there may be ye like smile & fauourable aspect vpon these few lines on their behalfe, yt I may haue a portion of land assigned to me in some convenient place yet vndisposed of. so shall your Petitioner (as alwaies before, so) for ye future, become a suter at ye throne of grace yt ye Lord may be among you & blesse you & carry on all your weighty affaires for ye glory of his blessed name, ye happinesse of ye Countrey, & ye ffurthering of your owne blessed account in ye last and great day.

A place yt i[ ]

In Ansr to ye peticon o[
his brother mr John W[
hundred acres of land [
sajd John Whitings land at [
Court Graunts his Peticon [

said John Whiting & Richard Westland and theire [
lands as are taken vp by or [
Vera Copi[

[Indorsed] m^r^ Whitings pet
Entrd w^th^ y^e^ Magists
& nothing done

En^t^ Court Record
Octo. 29

En^t^ 1659

The other paper is as follows : —

This may certify all whom it may concern, that William Sumner, John Goffe, Thomas Barker, John Barnard, William Way, Jonas Clark Ju^r^, & Henry Dawson, are members in full comunion w^th^ the second church in Boston, And that their conversation hath bin as becometh the Gospell. As is attested by me

INCREASE MATHER

BOSTON. May . 11 . 1678.

Agreeably to the Council's vote, as given above, this miscellaneous mass of papers has recently been transferred to the keeping of the clerk of the Supreme Judicial Court, who has given a receipt for the same under date of December 15, 1896.